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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,820

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Dominic Bennett

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09/13/2006

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EXAMINER

HAILU, TADESSE

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/700,820	<b>Applicant(s)</b> BENNETT ET AL.	
	<b>Examiner</b> Tadesse Hailu	<b>Art Unit</b> 2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is in response to the AMEDMENT filed on July 17, 2006 for the above identified patent application number.
2. The pending claims 1 through 25 are examined herein as follows.

#### ***Response to Arguments***

3. Applicant's arguments filed on July 17, 2006 have been fully considered but they are not persuasive. The applicant states that "claim 1 is patentable over Muret at least for requiring a first database of **navigation histories** of client computers." The examiner disagrees because Muret does disclose building a database of visitor records (e.g., navigation history). Muret discloses a database 300 comprising a visitor table 310 and data table 315. The visitor table 310 contains a hash table 320 that is used for quickly seeking visitor records. Below the partially filled hash table 310', the actual records 325' contain data about each visitor, such as hits, bytes, time, etc. Each unique visitor will have their own record in the visitor table 310'. As each log line 512 is processed and identified to a particular visitor, that visitor's record is updated in the visitor table 310' within the database buffer 250 (see Pars. 59, 60, 120, 121, 125, 175, 177 and 178). Muret also describes that marketing and advertising managers tracking behavior (i.e. navigation histories) of a shoppers (user browsing websites (par. 233).

Muret also describes (par. 223) and illustrates (FIG. 24) an example of a visitor footprint report 2100 (i.e., navigation history report) created by the

system 100 of Muret. The visitor footprint report 2100 preferably contains detailed information on the activity of the selected visitor, including traffic information 2110, browser information 2120, referral information 2130, domain information 2140 and the visitor path 2150 (the specific path the visitor took through the web site)(Par. 223).

The applicant further argues, "Muret does not teach or suggest receiving a navigational history from a client computer. In Muret, log files are received from web servers 500, not a client computer. Furthermore, in Muret, does not teach or suggest a navigational history identifying different websites navigated using the client computer. In Muret, the log files pertain to hits or transaction on a particular website."

In contrast to the applicant's arguments, Muret is not limited to a particular website log files pertain to hits or transaction. Muret discloses that the log files can be generated and applied to one website or thousands of websites, whether they reside on one server or multiple servers (pars. 51, 52, 69 and 70).

Furthermore, it is well known in browser world, such as using Internet Explorer to receive links to pages or websites the user visited, at the user own machine. In Internet Explorer, the user can click on the history button on the browser to view the links, to pages or websites the user visited.

Furthermore the applicant also argues the in Muret, log files are received from web servers, not a client computer." The log file at least records or lists

the user's whereabouts or footprint through out the network, and the user will be able view his whereabouts or navigational history listed in history channel within the Internet explorer. The user may also receive it from the web server. Thus, in contrast to the applicant argument, the log files not only received from the web server, alternatively, the log file may be generated or listed from the history channel of the Internet Explorer browser.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 7-11, 13-20, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muret et al (US Pub No 2002/0042821 A1).

Muret et al (Muret) s directed to Internet traffic and, more specifically, to a system and method for monitoring and analyzing Internet traffic.

With regard to claims 1, 14 and 17:

Muret disclose a method that include real-time analysis and reporting functionality in which data from web servers is processed as it occurs. The method of Muret can produce animated reports showing current

activity on the web server, which can be used by administrators and managers to monitor website effectiveness and performance (Par. 10).

Muret includes among other things building a first database of navigation histories of client computers on the Internet (Pars. 4, 110, and Fig. 14).

Muret includes among other things processing the navigation histories in the first database to generate relevant website traffic data (Pars. 12, 53, 71, 113 and 238).

Muret includes among other things storing the relevant website traffic data in a second database (Pars. 12, 63, 191, 281, Fig. 27).

Muret includes among other things querying the second database to generate a report indicative of website performance, the report being generated in accordance with user provided criteria (Pars. 185 and 201).

Although Muret discloses a browser (Fig. 21), but Muret does not explicitly describe the "history" feature element of the browser. As a result, Muret does not explicitly teach the "receiving" step of the claim 1. However, Official notice is taken that it is well known to receive and identify the pages or websites user visited by just activating/clicking the history channel/button from the toolbar of Internet explorer browser. Therefore, it would have been obvious for the browser to receive navigational histories; links to pages or websites the user has visited.

Therefore, it would have been obvious to explore the 'history' feature of the browser illustrate (Fig. 21) in Muret to obtain the invention as specified in claim 1, as well as in claims 14 and 17.

With regard to claims 2 and 18:

Muret includes among other things the navigation histories include uniform resource locators of web pages received in the client computers (Pars. 218, 272, 303).

With regard to claims 3 and 19:

Muret includes among other things that the navigation histories include domain names of websites visited using the client computers (Pars. 54, 56, 58 and 127, Fig. 33).

With regard to claims 7 and 24:

Muret includes among other things that the report includes traffic information of websites in a particular category of websites (Pars. 256 and 263).

With regard to claim 8:

Muret includes among other things that the delivering advertisements to the client computers (Pars. 11, 211, and 233).

With regard to claims 9 and 25:

Muret includes among other things that the report includes website cross-traffic information (Pars. 256 and 263).

With regard to claim 10:

Muret includes among other things that the report includes information about traffic to a set of uniform resource locators specified in the user provided criteria (Pars. 218, 272 and 303).

With regard to claim 11:

Muret includes among other things that the second database includes aggregated navigation data (Pars. 210, 223 and 265).

With regard to claim 13:

Muret includes among other things that the navigation histories are from client programs configured to deliver advertisements over the Internet (Pars. 11, 211, and 233).

With regard to claim 15:

Muret includes among other things that a report status module configured to provide a status of a report requested by way of the submission module (Par. 268).

With regard to claim 16:

Muret includes among other things that a second database configured to receive relevant website traffic data, the relevant website traffic data being obtained by processing the navigation histories (Pars. 12, 53, 71, 113 and 238).

Muret includes among other things that the report is generated by querying the second database (Pars. 185 and 201).



5. Claims 4, 5, 6, 12, 21, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muret et al (2002/0042821 A1) in view of Tamayo et al (2002/0083067 A1).

With regard to claims 4, 5, 6, 12, 21, 22, and 23:

Muret fails to clearly show the features claimed in the above claims.

But Tamayo discloses the features cited in the above claims. Tamayo discloses processing the navigational histories to remove redundant or irrelevant data (claims 4, 12, 21) (Par. 106), the redundant or irrelevant data includes short term visitors (Claims 5 and 22) (Par. 210); Tamayo also discloses several data storages for storing navigational data (Par. 86, Fig. 9) (claims 6 and 23).

Muret and Tamayo are analogous art because they are from the same field of endeavor, analyzing/mining Internet based data sources.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Tamayo's cited features, such as removing redundant or irrelevant data with Muret's navigational report because the navigational report only consists quality and important data, and by removing redundant data enormous disk space will be saved.

Therefore, it would have been obvious to combine Muret with Tamayo to obtain the invention as specified in the above claims.

### CONCLUSION

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

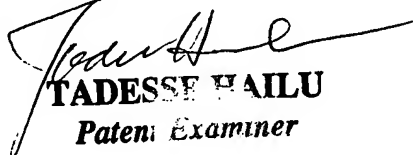
7. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and Figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Art Unit: 2173

8. Information regarding the status of an application may be obtained from the patent application information retrieval (PAIR) system. Status information for published application may be obtained from either Private –PAIR or Public-PAIR. Status information for unpublished applications is available through Private-PAIR only. For more information about the PAIR system, please see [pair-direct.uspto.gov](http://pair-direct.uspto.gov) web site. Should you have questions regarding access to the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kincaid, Kristine, can be reached at (571) 272-4063 Art Unit 2173 and 2174.

*Examiner Tadesse Hailu*  
*Art Unit 2173 – Operator Interface*  
*9/7/06*

  
**TADESSE HAILU**  
*Patent Examiner*

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